

Wetlands Bureau Decision Report

Decisions Taken
11/17/2008 to 11/23/2008

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Lawrence E. Morse, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2007-01418 DEMERS, DENNIS
HOOKSETT Unnamed Wetland

Requested Action:

Impact 4615 square feet of wetland in two locations for access in the subdivision of 133.3 acres into 40 single family building lots and open space lots and impact 27710 square feet of prime wetland buffer for roadway access and side slope construction.

APPROVE PERMIT:

Impact 4615 square feet of wetland in two locations for access in the subdivision of 133.3 acres into 40 single family building lots and open space lots and impact 27710 square feet of prime wetland buffer for roadway access and side slope construction.

With Conditions:

1. All work shall be in accordance with plans by Keach Nordstrom and Associates dated May 2006, and revised through June 3 2008, as received by the Department on June 6, 2008.
2. This permit is contingent on approval by the DES Alteration of Terrain.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. The deed for each of the lots containing prime wetlands or prime wetland buffers shall include the conditions of this permit.
7. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau.
8. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, NH to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
9. The 100 foot buffer around the designated prime wetlands shall be left in its natural state.
10. There shall be no dredging, removal, or disturbance of any existing native vegetative undergrowth within the 100 foot prime wetland buffer unless specifically permitted. The placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
11. Any additional human activities within the 100 foot Prime Wetland Buffer without a wetlands permit may be considered in violation of RSA 482-A and may be subject to enforcement action by the Department of Environmental Services, including, but not limited to, the issuance of fines, administrative orders, or referral to the Department of Justice for the imposition of appropriate penalties.
12. The boundaries of the wetland buffer shall be clearly and permanently marked prior to construction, the markers shall remain marked in perpetuity. Signs to indicate the location of and restrictions on the area shall be posted every 150 feet along the prime wetland buffer.
13. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
14. The applicant shall notify in writing the DES Wetlands Bureau and the Conservation Commission of their intention to start construction no less than five (5) business days prior to the commencement of construction.
15. Prior to the commencement of construction the permittee shall install orange construction fencing to define the 100 foot upland buffer zone around the designated prime wetlands.
16. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
17. Work shall be done during low flow.
18. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
19. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no

turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

20. Erosion controls shall be properly installed and maintained and the construction sequence shall be performed in accordance with the approved plans. It is the responsibility of the permittee to ensure that the erosion controls are adequate for the site.

21. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

22. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

23. Temporary cofferdams shall be entirely removed immediately following construction.

24. Proper headwalls shall be constructed within seven days of culvert installation.

25. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

26. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

27. Silt fencing must be removed once the area is stabilized.

28. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that his/her project, as approved and conditioned, is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

5. The detailed engineering plans accurately locate the boundary of the wetlands and prime wetlands.

6. The erosion controls, water velocity controls, grass treatment swales, stabilization methods, culvert sizing and invert elevations will protect the existing functions of the wetlands.

7. The approved plans and conditions of the permit provide for the 100 foot buffer around the Prime Wetland area.

8. The project as approved and constructed in adherence to the provided construction sequence, erosion controls, water treatment system and maintenance program offsets impact from any increased runoff created by the development.

9. The Department conducted a public hearing in regards to this application on October 1, 2008. No opposition to the project was voiced at the hearing.

10. Based on the findings above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Env-Wt 703.01 Criteria for Approval.

Any party may apply for reconsideration with respect to any matter determined in this action within 28 days from the date of this notification. A motion for reconsideration must specify all grounds upon which future appeals may be based, and should include information not available to the Department when the decision was made. The Department may grant reconsideration if, in its opinion, good reason is provided in the motion.

2008-00264 NEWBURY, TOWN OF NEWBURY Lake Sunapee

Requested Action:

Correct permit to show 33 ft x 5 ft "ice board" area is not to be removed.

APPROVE AMENDMENT:

Correct permit to read: Repair an "L" shaped crib pier, add a 6 ft x 20 ft piling pier and 4 ft x 20 ft piling pier to be connected to the crib pier by a 6 ft x 52 ft piling pier and drive two ice clusters and 4 tie off pilings. Repair a second "L" shaped crib pier and remove

three 4 ft x 20 ft piers, convert a 4 ft x 20 seasonal pier to a piling pier, add two 4 ft x 20 ft piling piers to be connected to the crib pier by a 12 ft by 11 ft walkway, add an 8 ft x 50 ft piling pier, and drive a 6 piling cluster, two ice clusters and 4 tie-off pilings.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction revised October 17, 2008, as received by DES on October 28, 2008.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
7. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
8. The new piers shall be utilized indefinitely as a public access, with the exception of the slips designated for the fire boat, NH Marine Patrol, the MV Kearsarge, and the MV Sunapee and shall not change in use.
9. Support pilings shall be spaced a minimum of 12 ft apart as measured center to center.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(d), alteration of a docking facility providing 5 or more slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The Town of Newbury held a public meeting pertaining to this project on September 10, 2007.
6. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the Lake Sunapee resource, as identified under RSA 482-A:1.
7. The proposed docking facility will provide improve public access and safety services and, therefore, Rules Env-Wt 402.13 and Env-Wt 402.21 are waived.

2008-00567 WOLFEBORO, TOWN OF
WOLFEBORO Back Bay Brook

Requested Action:

Restore approximately 360 square feet of prime wetland and impact a total of 3057 square feet of prime wetland, prime wetland buffer, and Lake Winnepesaukee further described as follows: Temporarily impact 804 square feet for construction access and erosion controls and permanently impact 476 square feet to install a 32 foot long x 17 foot wide x 3 ft high open bottom structure, and stabilizing stone replacing the three 36-inch closed bottom structures, and rip rap 20 linear feet along the bank of Lake Winnepesaukee for road bank stabilization and impact 1770 square feet of prime wetland buffer for installation of a paved shoulder for pedestrian access.

APPROVE PERMIT:

Restore approximately 360 square feet of prime wetland and impact a total of 3057 square feet of prime wetland, prime wetland buffer, and Lake Winnepesaukee further described as follows: Temporarily impact 804 square feet for construction access and erosion controls and permanently impact 476 square feet to install a 32 foot long x 17 foot wide x 3 ft high open bottom structure, and stabilizing stone replacing the three 36-inch closed bottom structures, and rip rap 20 linear feet along the bank of Lake Winnepesaukee for road bank stabilization and impact 1770 square feet of prime wetland buffer for installation of a paved shoulder for pedestrian access.

With Conditions:

1. All work shall be in accordance with plans by HEB Engineering dated July 3, 2008, and revised through August 7, 2008, as received by the Department on October 1, 2008.
2. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.
3. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
4. Any future work that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Work shall be conducted during low water conditions.
6. Work shall be done during drawdown.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. No equipment shall enter the water.
9. This permit is contingent upon review and coordination with the DES Watershed Management Bureau's Water Quality Planning Section.
10. The 100 foot buffer around the designated prime wetlands shall be left in its natural state.
11. The applicant shall notify in writing the DES Wetlands Bureau and the Conservation Commission of their intention to start construction no less than five (5) business days prior to the commencement of construction.
12. The Permittee shall monitor the weather and will not commence work within the water, when rain is in the forecast.
13. The boundaries of the 100 foot prime wetland buffer shall be clearly marked with orange construction fencing prior to construction, shall be remain marked until construction is complete and the work area is fully stabilized.
14. Erosion controls shall be properly installed and maintained and the construction sequence shall be performed in accordance with the approved plans. It is the responsibility of the permittee to ensure that the erosion controls are adequate for the site.
15. There shall be no dredging, removal, or disturbance of any existing vegetative undergrowth within the 100 foot prime wetland buffer unless specifically permitted. The placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
16. Any additional human activities within the 100 foot Prime Wetland Buffer without a wetlands permit may be considered in violation of RSA 482-A and may be subject to enforcement action by the Department of Environmental Services, including, but not limited to, the issuance of fines, administrative orders, or referral to the Department of Justice for the imposition of appropriate penalties.
17. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
18. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering jurisdictional areas. Faulty equipment shall be repaired prior to entering jurisdictional areas.
19. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
20. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.
21. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
23. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
24. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
25. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface

waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

26. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

27. A land resource professional may inspect the project to insure compliance with approved plans and permit conditions prior to completion of the project. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that his/her project, as approved and conditioned, is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The detailed engineering plans accurately locate the boundary of the wetlands and prime wetlands.
6. The erosion controls, water velocity controls, grass treatment swales, stabilization methods, culvert sizing and invert elevations will protect the ability of the wetlands to retain floodwaters and silt.
7. The project as approved and constructed in adherence to the provided construction sequence, erosion controls, water treatment system and maintenance program will provide a benefit from the existing closed bottom culverts.
8. Based on the inspection conducted in 2005 in response to the emergency authorization, the project involves minor environmental impacts.
9. The proposal will decrease the amount of fill placed within the prime wetland.
10. The proposal will install an open bottom structure where currently there are closed bottom structures while maintaining the upstream hydrology.
11. Based on the findings above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Env-Wt 703.01 Criteria for Approval.

Any party may apply for reconsideration with respect to any matter determined in this action within 30 days from the date of this notification. A motion for reconsideration must specify all grounds upon which future appeals may be based, and should include information not available to the Department when the decision was made. The Department may grant reconsideration if, in its opinion, good reason is provided in the motion.

2008-00877 JAMES POWERS INC
LITTLETON Unnamed Wetland

Requested Action:

Dredge and fill 19,900 square feet within palustrine scrub-shrub wetlands and 2 perennial streams crossings (impacting approximately 363 linear feet within the bed and banks) to construct access roads and associated driveways serving a 14-lot residential subdivision (Phase I). Mitigate wetland impacts paying a one time payment of \$50,015.99 into to the Aquatic Resource Mitigation (ARM) Fund.

Conservation Commission/Staff Comments:

This project is acceptable for payment to the Aquatic Resource Mitigation (ARM) Fund. The payment is \$50,015.99 and shall be deposited in the DES fund for the "Connecticut River - Johns River to Waits River" watershed.

APPROVE PERMIT:

Dredge and fill 19,900 square feet within palustrine scrub-shrub wetlands and 2 perennial streams crossings (impacting

approximately 363 linear feet within the bed and banks) to construct access roads and associated driveways serving a 14-lot residential subdivision (Phase I). Mitigate wetland impacts paying a one time payment of \$50,015.99 into to the Aquatic Resource Mitigation (ARM) Fund.

With Conditions:

1. All work shall be in accordance with revised plans by Horizons Engineering dated October 8, 2008, as received by DES on October 24, 2008.
2. This approval is contingent on receipt by DES of a one time payment of \$50,015.99 to the DES Aquatic Resource Mitigation (ARM) Fund. The payment shall be received by DES within 120 days of the date of the approval letter or the application will be denied.
3. This approval is contingent on approval by the DES Terrain Alteration Bureau.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback within the "Phase I" area of the development.
6. The deed which accompanies the sales transaction for each of the lots within the "Phase I" area of this subdivision shall contain condition #5 of this approval.
7. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested.
8. Any further alteration of areas under the jurisdiction of the DES Wetlands Bureau within the "Phase II" and "Phase III" areas of this property will require a new application and further permitting by the Bureau.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Work shall be done during low flow.
11. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
13. Proper headwalls shall be constructed within seven days of culvert installation.
14. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
16. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This project is classified as a Major Project per NH Administrative Rule Env-Wt 303.02(i), as impacts within the bed and banks of perennials streams is greater than 200 linear feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has reviewed on-site options for mitigation and the department has determined that this project is acceptable for payment to the Aquatic Resource Mitigation (ARM) Fund.
6. The payment calculated for the proposed wetland loss equals \$50,015.99. The Department decision is issued in letter form and upon receipt of the ARM fund payment, the Department shall issue a posting permit in accordance with Env-Wt 803.08(f).

7. The payment into the ARM fund shall be deposited in the DES fund for the "Connecticut River - Johns River to Waits River" watershed per RSA 482-A:29.
8. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the wetland and riverine resources, as identified under RSA 482-A:1.

MINOR IMPACT PROJECT

2006-02605 MEREDITH, TOWN OF
MEREDITH Dolloff Brook

Requested Action:

Deny request to replace an existing 18-inch and 24-inch CMP culvert under Chase Road.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Replace an existing 18-inch and 24-inch CMP culvert under Chase Road.

With Findings:

1. A request for additional information dated July 10, 2008, addressed to the applicant or agent of record, clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request.
2. Pursuant to RSA 482-A:3, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

2008-00370 KEIR FAMILY ENTREPRENEURS INC
HAMPTON Tidal Marsh

Requested Action:

Impact a total of 14,280 sq. ft. within the previously developed upland tidal buffer zone to remove four (4) existing structures and all impervious pavement and construct a 23-unit condominium building with appurtenant pervious parking surface and landscaping. 2,800 sq. ft. of historic fill in tidal wetlands, previously used for parking, will be removed and reestablished with salt marsh vegetation.

Conservation Commission/Staff Comments:

"The [Hampton] Conservation Commission does not oppose the granting of a wetlands permit for work [proposed] at 431 and 435 Ocean Boulevard ..."

Inspection Date: 05/30/2008 by Frank D Richardson

APPROVE PERMIT:

Impact a total of 14,280 sq. ft. within the previously developed upland tidal buffer zone to remove four (4) existing structures and all impervious pavement and construct a 23-unit condominium building with appurtenant pervious parking surface and landscaping. 2,800 sq. ft. of historic fill in tidal wetlands, previously used for parking, will be removed and reestablished with salt marsh vegetation.

With Conditions:

1. All work shall be in accordance with plans by Jones & Beach Engineers, Inc. dated 9/6/07 (last revised 3/5/08), as received by DES on March 10, 2008.
2. Salt marsh restoration work shall be performed in accordance with "Wetland Replication Restoration Notes" and plan as shown on Drawing No. L1 on sheet 6 of 9 of approved plans.
3. Salt marsh restoration work shall be coordinated with NH DES Wetlands Bureau Southeast Region staff and shall be implemented prior to or concurrently with the approved project.
4. Salt marsh replication/ restoration area shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
5. NH DES Wetlands Bureau Southeast Region staff and the Hampton Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
6. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
7. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
11. Faulty equipment shall be repaired prior to entering jurisdictional areas.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(a)&(b), projects that involve work within 50 feet of a salt marsh that do not meet the criteria of Env-Wt 303.02. Work in the previously developed tidal buffer zone.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on May 30, 2008. Field inspection determined the work proposed will not have a deleterious affect on the salt marsh and 2,800 sq. ft. of previously impacted marsh will be restored.

2008-00499

HOFFMAN, STEPHEN

OSSIPEE Lake Ossipee

Requested Action:

Replace 50 linear ft of rock retaining wall on 100 ft of frontage in Ossipee on Ossipee Lake.

DENY PERMIT:

Replace 50 linear ft of rock retaining wall on 100 ft of frontage in Ossipee on Ossipee Lake.

With Findings:

Standards of Approval

1. In accordance with Rule Env-Wt 302.03 (a)(1)&(2), the applicant shall submit a statement describing the impact of the proposed project design and provide evidence which demonstrates that, potential impacts have been avoided to the maximum extent practicable; and any unavoidable impacts have been minimized.

2. In accordance with RSA 483-B:3, Consistency Required, the Wetlands Bureau shall issue permits only when the proposed project are consistent with the policies of the Comprehensive Shoreland Protection Act ("CSPA").
3. As per Rule Env-Wt 302.04, (a)(2) The alternative proposed by the applicant is the one with the least impact to wetlands or surface waters on site.
4. Pursuant to Rule Env-Wt 101.01 "Abandoned" means the failure, for a period of 5 years, to maintain an existing structure in a condition so that it is functional and intact.
5. Pursuant to Rule Env-Wt 101.75 "Retaining wall" means a structure constructed generally parallel to and against the shoreline to sustain a bank or prevent erosion.
6. As per Env-Wt 404.05 (a)(1) Wall shall be permitted only where lack of space or other limitation of the site make alternative stabilization methods impractical.
7. Pursuant to Rule Env-Wt 404.05 (a)(4), applications for walls adjacent to great ponds or water bodies where the state holds fee simple ownership shall include a stamped surveyed plan showing the location of the normal high water shoreline and the footprint of the proposed project.
8. Pursuant to Rule Env-Wt 501.02(a)(2) plans need to accurately show all existing and proposed structures.

Findings of Fact

9. On April 2, 2008, the Wetlands Bureau received a Minimum Impact Expedited application to replace 50 linear ft of rock retaining wall with 49 linear ft of Allan Block wall along the shoreline on property identified as Town of Ossipee Tax Map 52, Lot 21.
10. Photographic documentation as received with the application on April 2, 2008 fails to support the Applicant's claim that a 50 linear foot retaining wall exists on the frontage.
11. On September 9, 2008 the Department requested photographic evidence of the pre-existing retaining wall and plans showing all existing and proposed conditions along with findings showing that this is the least impacting alternative to stabilize this shoreline.
12. On October 22, 2008, the Department received additional photographs of the frontage. The photographs failed to document the prior existence of the alleged retaining wall on this frontage.
13. The Department views this as a new wall proposal as opposed to a replacement "in-kind", and as such this project is classified as a minor impact project per Rule Env-Wt 303.03 (k), projects that disturb between 50 and 200 linear feet, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Wt 303.02.
14. Plans submitted on April 2, 2008 and on October 22, 2008 fail to accurately depict the existing conditions on the frontage.
15. Minor impact projects require an additional impact fee of \$0.20 per sq ft pursuant to RSA 482-A:2
16. No stamp surveyed plan was provided for the new retaining wall proposal as required pursuant to Rule Env-Wt 404.05.
17. Photos submitted clearly indicate an already stable shoreline not requiring any work. 18. Excavating the bank to install a retaining wall is avoidable, as the bank is currently stable.

Ruling in support of the Decision

19. The proposal to stabilize an already stable bank with a 49 linear ft of new retaining wall would be an unnecessary impact and to meet Rule Env-Wt 302.04 (a)(1).
20. Installation of a new retaining wall on an already stable bank, is not consistent with the policies of the CSPA, therefore the project is denied in accordance with RSA 483-B:3.
21. The applicant has failed to provide documentation that the project impacts are not avoidable as required per Rule Env-Wt 302.03 and are the least impacting alternative as required per Rule Env-Wt 302.04 (a)(2), and, therefore, the application is denied.
22. The appropriate impact fee for the proposed impacts was not submitted to the department.
23. No stamp surveyed plan was submitted as required for new retaining wall construction pursuant to Rule Env-Wt 404.05(a)(4).

2008-00500 DESJARDIN, PAUL
OSSIPEE Lake Ossipee

Requested Action:

Replace/repair approximately 50 linear ft of rock retaining wall 100 ft of frontage in Ossipee on Ossipee Lake.

DENY PERMIT:

Replace/repair approximately 50 linear ft of rock retaining wall 100 ft of frontage in Ossipee on Ossipee Lake.

With Findings:

Standards of Approval

1. In accordance with Rule Env-Wt 302.03 (a)(1)&(2), the applicant shall submit a statement describing the impact of the proposed project design and provide evidence which demonstrates that, potential impacts have been avoided to the maximum extent practicable; and any unavoidable impacts have been minimized.
2. In accordance with RSA 483-B:3, Consistency Required, the Wetlands Bureau shall issue permits only when the proposed project are consistent with the policies of the Comprehensive Shoreland Protection Act ("CSPA").
3. As per Rule Env-Wt 302.04, (a)(2) The alternative proposed by the applicant is the one with the least impact to wetlands or surface waters on site.
4. Pursuant to Rule Env-Wt 101.01 "Abandoned" means the failure, for a period of 5 years, to maintain an existing structure in a condition so that it is functional and intact.
5. Pursuant to Rule Env-Wt 101.75 "Retaining wall" means a structure constructed generally parallel to and against the shoreline to sustain a bank or prevent erosion.
6. As per Env-Wt 404.05 (a)(1) Wall shall be permitted only where lack of space or other limitation of the site make alternative stabilization methods impractical.
7. Pursuant to Rule Env-Wt 404.05 (a)(4), applications for walls adjacent to great ponds or water bodies where the state holds fee simple ownership shall include a stamped surveyed plan showing the location of the normal high water shoreline and the footprint of the proposed project.
8. Pursuant to Rule Env-Wt 501.02(a)(2) plans need to accurately show all existing and proposed structures.

Findings of Fact

9. On April 2, 2008, the Wetlands Bureau received a Minimum Impact Expedited application to replace 50 linear ft of retaining wall along the shoreline on property identified as Town of Ossipee Tax Map 52, Lot 20.
10. Photographic documentation as received with the application on April 2, 2008 does not support the Applicant's claim that a 40 inch tall, 50 linear foot retaining wall exists on the frontage.
11. On September 9, 2008 the Department requested photographs showing the alleged existing retaining wall and plans showing all existing and proposed conditions.
12. On October 22, 2008, the Department received additional photographs of the frontage. These photographs fail to document that a 40 inch tall retaining wall existed on this frontage.
13. The Department considers this as a new wall proposal as opposed to a replacement "in-kind", and as such, this project is classified as a minor impact project per Rule Env-Wt 303.03 (k), projects that disturb between 50 and 200 linear feet, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Wt 303.02.
14. Minor impact projects require an additional impact fee of \$0.20 per sq ft of impact pursuant to RSA 482-A:2
15. No stamp surveyed plan was provided for the new retaining wall proposal as required pursuant to Admin. Rule Env-Wt 404.05.
16. Photos submitted clearly indicate an already stable shoreline not requiring any work.

Ruling in support of the Decision

17. The proposal to stabilize an already stable bank with a new retaining wall would result in unnecessary impacts and fails to meet Rule Env-Wt 302.04 (a)(1).
18. Installation of a new retaining wall on an already stable bank, is not consistent with the policies of the CSPA, therefore the project is denied in accordance with RSA 483-B:3.
19. The applicant has failed to provide documentation that the project impacts were not avoidable as per Env-Wt 302.03 and are the least impacting alternative as per Rule Env-Wt 302.04 (a)(2), therefore the application is denied.
20. The appropriate impact fee for the proposed impacts was not submitted to the department.
21. No stamp surveyed plan was submitted as required for new retaining wall construction pursuant to Rule Env-Wt 404.05(a)(4).

Requested Action:

Dredge and Fill a total of 8,795 sq. ft. of palustrine forested/ scrub-shrub wetlands to construct a roadway with three (3) culvert crossings to access a 31-unit manufactured home park, including installation of underground utilities, on a 39 acre parcel of land.

Conservation Commission/Staff Comments:

No report or comments received from the Hudson Conservation Commission.

APPROVE PERMIT:

Dredge and Fill a total of 8,795 sq. ft. of palustrine forested/ scrub-shrub wetlands to construct a roadway with three (3) culvert crossings to access a 31-unit manufactured home park, including installation of underground utilities, on a 39 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Keach-Nordstrom Associates, Inc. dated August 8, 2007 (last revised 02/07/08), as received by DES on April 21, 2008.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. NH DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, for septic setback or other construction activities.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. Applicant provided vernal pool survey and stream passage review in response to request for more information from NH DES and US EPA.

2008-01809 NICKERSON FAMILY TRUST, ERIC NICKERSON
WINDHAM Canobie Lake

Requested Action:

Permanently remove an existing 11 ft x 18 ft dug in boathouse and fill the excavated area, remove 95 sq ft of concrete pad fill on the easterly lakebed, restore the original shoreline to match existing adjacent conditions, install a 5 ft x 30 ft seasonal dock attached to the westerly concrete pad on an average of 114 ft of frontage, Canobie Lake, Windham.

Conservation Commission/Staff Comments:

No Con Com comments by November 19, 2008

APPROVE PERMIT:

Permanently remove an existing 11 ft x 18 ft dug in boathouse and fill the excavated area, remove 95 sq ft of concrete pad fill on the easterly lakebed, restore the original shoreline to match existing adjacent conditions, install a 5 ft x 30 ft seasonal dock attached to the westerly concrete pad on an average of 114 ft of frontage, Canobie Lake, Windham.

With Conditions:

1. All work shall be in accordance with plans by Edward Herbert revision dated September 29, 2008, as received by DES on October 01, 2008.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
4. The proposed seasonal pier shall not be installed until the existing boathouse has been restored.
5. Area shall be regraded to original contours following completion of work.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
8. The seasonal pier shall be removed from the lake for the non-boating season.
9. No portion of the pier shall extend more than 30 feet from the lakeward edge of the pre-existing concrete pad.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(g), removal of not more than 20 cubic yards of material from public waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 114 feet of shoreline frontage along Canobie Lake.
6. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
8. The removal of a boathouse from the bank and public waters and the construction a seasonal dock will reduce the environmental impact of the docking facility and, therefore, meets the requirements of Rule Env-Wt 402.21, Modification of Existing Structures.

2008-01855 OSRAM SYLVANIA INC
EXETER Unnamed Wetland

Requested Action:

Dredge and Fill a total of 4,690 sq. ft. of palustrine forested/scrub-shrub/emergent wetlands for the repair and/or replacement of existing deteriorated on-site drainage structures.

Conservation Commission/Staff Comments:

The Exeter Conservation Commission voted to support approval of the project.

APPROVE PERMIT:

Dredge and Fill a total of 4,690 sq. ft. of palustrine forested/scrub-shrub/emergent wetlands for the repair and/or replacement of existing deteriorated on-site drainage structures.

With Conditions:

1. All work shall be in accordance with plans by Keach-Nordstrom Associates, Inc. dated August 2008, as received by DES on September 10, 2008.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
5. Work shall be done during low flow.
6. NH DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2008-02186 TAYLOR, JAY
HAMPTON Meadow Pond

Requested Action:

Temporarily impact 1,660 sq. ft. within the previously developed 100-foot tidal buffer zone within 50-feet from the edge of salt marsh contiguous with Meadow Pond for the replacement of the foundation of a single family residential dwelling.

Conservation Commission/Staff Comments:

The Hampton Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Temporarily impact 1,660 sq. ft. within the previously developed 100-foot tidal buffer zone within 50-feet from the edge of salt marsh contiguous with Meadow Pond for the replacement of the foundation of a single family residential dwelling.

With Conditions:

1. All work shall be in accordance with the Buffer Impact Plan by CLD Consulting Engineers, Inc. dated September 17, 2008, as received by DES on October 10, 2008.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Repair shall maintain existing size, location and configuration.
6. Area shall be regraded to original contours following completion of work.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(b) Projects that involve work within 50 feet of a saltmarsh that do not meet the criteria of Env-Wt 303.02.
2. The structural integrity of the existing foundation is compromised, therefore; the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The repairs will be done in-kind, therefore; the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. Pursuant to Env-Wt 304.04, the owner obtained written concurrence from the abutter identified as Wendy Anderson, Hampton Tax Map 183 Lot 1, for work within 20-feet of the property line.
6. A permit is not required for this work within the protected shoreland in accordance Env-Wq 1406.04 (3) Maintenance, repair, or modification of an existing, legal, primary structure.
7. A memo provided by the NH Natural Heritage Bureau dated October 22, 2008 identified one vertebrate species within the vicinity of the project: Willet (*Catoptrophorus semipalmatus*).
8. DES find that the aforementioned species will not be adversely affected by this project as the area is previously developed and does not impact the habitat of this particular species.

MINIMUM IMPACT PROJECT

2007-02785 ROCHESTER, CITY OF ROCHESTER Unnamed Wetland

Requested Action:

Reconsideration requested by abutters Doug and Michele Grant of permit approval to dredge and fill a total of 2,409 sq. ft. of forested wetlands over 4 locations including crossing #1 with 910 sq. ft. of impact; crossing #2 with 753 sq. ft. of impact and installation of a 12" x 30' culvert; 30 sq. ft. of grading edge fill impact; and crossing #3 with 716 sq. ft. and installation of a 12" x 30' culvert, for construction of a driveway to reach a privately owned lot located adjacent to, and accessed through, City of Rochester property.

Reconsider approval of waiver of Administrative Rule Env-Wt 304.04, Setback from Property Lines.

Inspection Date: 05/06/2008 by Dori A Wiggin

DENY RECONSIDERATION:

Deny request for reconsideration by abutters Doug and Michele Grant of permit approval. Reaffirm approval to dredge and fill a total of 2,409 sq. ft. of forested wetlands over 4 locations including crossing #1 with 910 sq. ft. of impact; crossing #2 with 753 sq. ft. of impact and installation of a 12" x 30' culvert; 30 sq. ft. of grading edge fill impact; and crossing #3 with 716 sq. ft. and installation of a 12" x 30' culvert, for construction of a driveway to reach a privately owned lot located adjacent to, and accessed through, City of Rochester property; and reaffirm approval of waiver of Administrative Rule Env-Wt 304.04, Setback from Property Lines.

With Findings:

A. Grounds for Reconsideration

The request for reconsideration asserts the following as the basis for the request:

1. The petitioners requested that DES inspect the property and questions whether this was done.
2. The petitioners contend that there will be flooding damage to their property as a result of the approval and questions who will be responsible for the damage.
3. The petitioners question why the 20 foot abutter setback (Env-Wt 304.04, Setback from Property Lines) was waived.

4. The petitioners raise issues relative to the abutter (whose lot will be accessed by the driveway on the permittee's property) selling the land to others, that the lot is unbuildable, and who will regulate what the new buyer does with the property and to the surrounding wetlands.

5. The petitioners contend that the City of Rochester has "numerous" other rights of way to its land at the subject location.

6. The petitioners contend that there were no culverts on the permittee's plan, and that the driveway installation would cause "major issues".

B. Standards and Process for Review

1. RSA 482-A:10, II requires a request for reconsideration to describe in detail each ground for complaint.

2. RSA 482-A:10, III provides that on reconsideration, DES will receive and consider any new and additional evidence presented, and make findings of fact and rulings of law in support of its decision after reconsideration.

3. RSA 482-A:10, V provides that the burden of proof is on the party seeking to set aside DES's decision to show that the decision is unlawful or unreasonable.

4. If DES is persuaded by a request for reconsideration of a permit approval was erroneous, the result is that the permit originally approved would be denied.

C. Findings of Fact and Rulings of Law

1. In response to the petitioners' assertion number 1, the property was inspected by DES on 5/18/2008 with the applicant's wetland scientist and engineer. Field inspection determined that the forested wetland had fairly flat topography, with no overt signs of regular flooding. It was determined that it would be possible to engineer the drainage to direct any excess stormwater away from the abutters and disperse the flow on the City of Rochester property, thereby avoiding flooding impacts to abutters.

2. In response to the petitioners' assertion number 2, the wetlands permit condition 5 requires that the permittee, or his agent, to remediate any impoundment of drainage to abutting properties.

3. In response to the petitioners' assertion number 3, a process has been established, pursuant to Part Env-Wt 204, Waivers, for a party to request a waiver to administrative rules. DES determined that the applicant met the criteria specified in Env-204 for DES to waive Env-Wt 304.04, Setbacks to Property Lines, with the finding that the post-development drainage had been adequately engineered to avoid new or exacerbated impacts to abutters, and that the City of Rochester's submission dated 6/3/2008 specifically addressed its efforts to engineer the proposal to avoid impacts to abutters.

4. In response to the petitioners' assertion number 4, DES finds the petitioner did not substantiate the claim that the abutting land to be accessed by the City's driveway could only be used for the current owner of that abutting lot or that the lot was for sale, and that these issues are beyond the scope of the wetlands review, as the permit was granted to the City of Rochester. DES further finds that whoever owns the abutting parcel that is being accessed through the City's property will be subject to the requirements of RSA 482-A with regard to regulation and protection of wetlands on both properties. The record does not reflect that the parcel to be accessed is an unbuildable lot, and does reflect that there is adequate upland to site a house and septic. The permit is conditioned to be contingent upon DES Subsurface approval.

5. In response to the petitioners' assertion number 5, DES finds that review of the applicable Rochester tax map clearly shows that the location of the driveway is at the only street frontage for the 18-acre City parcel on which the driveway is to be constructed. Other access via abutting City-owned parcels involve cutting through existing school facilities to Chamberlain St., or crossing approximately 1/4 mile of school property to Franklin St., as an alternative to the lot's direct street frontage.

6. In response to the petitioners' assertion number 6., DES finds that the approval includes installation of two 12" x 30' culverts, and associated fill, as shown on revised plans dated 6/3/2008, as received by DES on 7/1/2008. DES further finds that the petitioner submitted no evidence to support the claim of the project resulting in major issues.

7. The petitioners, Doug and Michelle Grant, have not met their burden of proving that the DES's decision was unlawful or unreasonable, therefore the request for reconsideration is denied and the permit approval is reaffirmed.

2007-02956

THOMAS, PAUL & SANDRA

LEMPSTER Unnamed Wetland

Requested Action:

Retain 34 linear feet of intermittent stream impact and 1,029 square feet of associated palustrine forested wetland impact to retain a 34-foot culvert for access to the back portion of a single family residence and retain 687 square feet of wetlands impact to retain a constructed garage.

Conservation Commission/Staff Comments:

Please if mailing any letters to Paul & Sandra Thomas do not mail to the Po Box 188 Claremont NH 03743 this is the wrong mailing address per Kirsten Pulkkinen.

JoAnn Robinson

APPROVE PERMIT:

Retain 34 linear feet of intermittent stream impact and 1,029 square feet of associated palustrine forested wetland impact to retain a 34-foot culvert for access to the back portion of a single family residence and retain 687 square feet of wetlands impact to retain a constructed garage.

With Conditions:

1. All work shall be in accordance with plans by Schauer Environmental Consultants, LLC dated May 30, 2008, as received by the Department on July 28, 2008.
2. This permit is contingent upon compliance with the June 12, 2008, Restoration Plan Approval.
3. This permit is contingent upon receipt of photographs illustrating the completed project under stable conditions.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. This permit is contingent on approval by the DES Subsurface Systems Bureau.
6. Work shall be done during low flow conditions.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment on wetlands.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Culverts shall be laid at original grade.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of wetlands.
2. A complaint for activities on this parcel was received by the DES Wetlands Bureau on December 18, 2007.
3. The December 20, 2007, Letter of Deficiency (LOD) instructed the applicant to, within 30 days, submit a restoration plan approval and Standard Dredge and Fill Application.
4. On January 03, 2008 an extension to the LOD was issued till May 30, 2008.
5. An Administrative Order was issued on April 15, 2008.
6. On June 12, 2008 a Restoration Plan Approval was issued. The restoration plan required submittal of a Standard Dredge and Fill Application for 1,200 square feet of fill indented on the Restoration Plan Approval.
7. This permit is contingent upon compliance with the June 12, 2008, Restoration Plan Approval.
8. The agent for the applicant has confirmed no additional development, including subdivision, of the lot is planned.
9. The need for the proposed impacts for access has been demonstrated by the applicant per Env-Wt 302.01.
10. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

Requested Action:

Retain 950 sq. ft. of intermittent stream and associated palustrine forested wetlands impact for the installation of an 18-inch x 30-foot culvert for driveway access to a single family residence existing lot of record.

APPROVE PERMIT:

Retain 950 sq. ft. of intermittent stream and associated palustrine forested wetlands impact for the installation of an 18-inch x 30-foot culvert for driveway access to a single family residence existing lot of record.

With Conditions:

1. All work shall be in accordance with plans by Forest Designs dated June 21, 2007, as received by the Department on July 29, 2008 and plans illustrating crossing location received by the Department on October 29, 2008.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work shall be done during low flow conditions.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culverts shall be laid at original grade.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z), installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial recreational uses.
2. The lot is result of a 1991/1992 subdivision.
3. In correspondence dated June 20, 2008, the Nelson Conservation Commission stated they have completed a site inspection and approves the crossings as it stands.
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2008-01737 MALLEN, EDWARD/RENE
RYE Atlantic Ocean

Requested Action:

Impact 3,150 sq. ft. (1,050 sq. ft. permanent; 2,100 sq. ft. temporary) within the previously developed upland tidal buffer zone to demolish the existing building and construct a new dwelling and install a new subsurface septic system resulting in a decrease of 390 sq. ft. of coverage to be enhanced with rain gardens.

Conservation Commission/Staff Comments:

The Rye Conservation Commission conducted a site walk of the subject property and determined to support this application.

APPROVE PERMIT:

Impact 3,150 sq. ft. (1,050 sq. ft. permanent; 2,100 sq. ft. temporary) within the previously developed upland tidal buffer zone to

demolish the existing building and construct a new dwelling and install a new subsurface septic system resulting in a decrease of 390 sq. ft. of coverage to be enhanced with rain gardens.

With Conditions:

1. All work shall be in accordance with plans by Ambit Engineering, Inc. dated July 2008 (last revised 8/20/08), as received by DES on August 25, 2008.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. NH DES Wetlands Bureau Southeast Region staff and the Rye Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
6. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

2008-01795 REED, EVA
DURHAM Tidal Buffer, Little Bay

Requested Action:

Impact a total of 1,746 sq. ft. (829 sq. ft. temporary and 917 sq. ft. permanent) of the developed upland tidal buffer zone to replace a substandard septic system.

APPROVE PERMIT:

Impact a total of 1,746 sq. ft. (829 sq. ft. temporary and 917 sq. ft. permanent) of the developed upland tidal buffer zone to replace a substandard septic system.

With Conditions:

1. All work shall be in accordance with plans by NHSC Environmental Inc. dated June 2008, as received by DES on 9/3/2008.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(), alteration of ...
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The property has an antiquated septic system which needs to be replaced with a system meeting current day standards.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. NH Fish & Game Department states in correspondence dated 9/26/2008, that no impacts are expected as a result of the project for the two species (Columbine Duskywing, and the common tern)

reported by the NH Natural Heritage Bureau as occurring in the project vicinity.

5. Per comments dated 10/3/2008, the Durham Conservation Commission stated that they would defer to the Town's wetlands regulations with regard to septic design, which require use of the most current technologies.

FORESTRY NOTIFICATION

2008-02437 TAVES, HENRY
ROXBURY Unnamed Stream

COMPLETE NOTIFICATION:
Roxbury Tax Map 4, Lot# 122

2008-02438 PATENAUDE, RODNEY
BRADFORD Unnamed Stream

COMPLETE NOTIFICATION:
Bradford Tax Map 11, Lot# 32

2008-02439 TR DILLON LOGGING
BERLIN Unnamed Stream

COMPLETE NOTIFICATION:
Berlin Tax Map 404, Lot# 51.020

2008-02440 LEWIS, KEVIN
CARROLL Unnamed Stream

COMPLETE NOTIFICATION:
Caroll Tax Map 404, Lot# 1

2008-02441 CHOCORUA FORESTLANDS LLC
TUFTONBORO Unnamed Stream

COMPLETE NOTIFICATION:
Tuftonboro Tax Map 20, Lot# 2 & 7

2008-02442 HARWOOD, BARTLETT
ORFORD Unnamed Stream

COMPLETE NOTIFICATION:
Orford Tax Map 8-91, lot# 62

2008-02443 PATENAUDE, THOMAS & RODNEY
BRADFORD Unnamed Stream

COMPLETE NOTIFICATION:
Henniker Tax Map 1, Lot# 736

2008-02444 ROMANO, JOSEPH
HENNIKER Unnamed Stream

COMPLETE NOTIFICATION:
Henniker Tax Map 1, Lot# 736

2008-02464 TRUE-ALLEN, TRACY
HENNIKER Unnamed Stream

COMPLETE NOTIFICATION:
Henniker Tax Map 11, Lot# 77X

2008-02502 WHITCHER, MARK
STRAFFORD Unnamed Stream

COMPLETE NOTIFICATION:
Strafford Tax Map 1, Lot# 20

2008-02503 DOW, PETER
EATON Ferrin Brook

COMPLETE NOTIFICATION:
Eaton Tax Map R5, Lot# 28

2008-02504 JOHNSON, ERIC & HEIDE
ANDOVER Unnamed Stream

COMPLETE NOTIFICATION:
Andover Tax Map 23, lot# 556-219

2008-02505 SIDMAN, PETER & SUZANNE
RUMNEY Unnamed Stream

COMPLETE NOTIFICATION:
Rumney Tax Map 7, Lot# 2-9 & 2-12

2008-02507 ROMAN CATHOLIC BISHOP OF MANCHESTER
ALLENSTOWN Unnamed Wetland

COMPLETE NOTIFICATION:
Allenstown Tax Map 410, Lot# 3

2008-02508 **CHAPMAN, JAMES**
GILSUM **Unnamed Stream**

COMPLETE NOTIFICATION:
Gilsum Tax Map 403, Lot# 12

EXPEDITED MINIMUM

2006-02969 **AGGREGATE INDUSTRIES**
MANCHESTER **Black Brook**

Requested Action:

Amendment request to stabilize an additional approximately 30 linear feet (approximately 300 sq. ft.) of stream bank that has begun to erode due to flows being redirected by an existing stone retaining wall. The redirected flows are resulting in erosion of the adjacent gravel pit causing materiel to migrate into Black Brook.

APPROVE AMENDMENT:

Approve amendment request to stabilize an additional approximately 30 linear feet (approximately 300 sq. ft.) of stream bank that has begun to erode due to flows being redirected by an existing stone retaining wall. The redirected flows are resulting in erosion of the adjacent gravel pit causing materiel to migrate into Black Brook.

With Conditions:

1. All of the approved amendment work shall be conducted in accordance with plans by T.F. Bernier, Inc., dated October 8, 2008, as received by DES on November 3, 2008.
2. A New Hampshire Certified Wetland Scientist (CWS) shall monitor the project during construction to assure the work is constructed in accordance with the approved plans and narratives and to assure no turbidity leaves the work area.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Construction equipment shall work from the top of bank or adjacent uplands and shall not enter flowing water or wetlands.
6. A post-construction report documenting the status project area with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.

Faulty equipment shall be repaired immediately.

12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

13. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

14. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B.

With Findings:

DES reaffirms findings 1 through 3 with additional findings.

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o) Projects deemed minimum impact by the department based on the degree of environmental impact.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The original approval was for follow-up documentation, application and additional emergency requests to remove 7 failed culverts, associated fill and debris within Black Brook resulting from the May 2006 flood event and to remove/restore approximately 20,000 sq. ft. of accumulated sediment and gravel that has blocked the mouth of Black Brook and an adjacent unnamed pond during and after the May 2006 and April 2007 flood events.

5. The applicant has a pending application (File #2008-01091) for restoration of Black Brook through the site, however, the final revision, review and permit decision will not be completed before winter.

6. The proposed amendment repairs will alleviate ongoing erosion and sediment entering Black Brook.

7. There are current efforts underway by the DES Watershed Management Bureau to remove a down stream dam and improve aquatic passage in Black Brook. They have inspected the Aggregate Industries property and have been supportive of any restoration and stabilization efforts that would help improve the quality of Black Brook.

8. DES has received correspondence from the Manchester Conservation Commission in support of the amendment proposal and addressing any erosion problems before winter.

2008-00383 HIGH ROCK DEVELOPMENT LLC
WEARE Unnamed Wetland

Requested Action:

In-kind replacement of an existing 18-inch x 47-foot RCP culvert and 12-inch x 40-foot culvert at Kilburn Road and Daniel Road to upgrade an existing private road for access to a 16-lot subdivision on \pm 60 acres.

APPROVE PERMIT:

In-kind replacement of an existing 18-inch x 47-foot RCP culvert and 12-inch x 40-foot culvert at Kilburn Road and Daniel Road to upgrade an existing private road for access to a 16-lot subdivision on \pm 60 acres.

With Conditions:

1. All work shall be in accordance with plans by Arthur F. Siciliano Jr. dated August 2006, as received by the Department on March 17, 2008.

2. This permit is contingent upon appropriate approvals from the DES Shoreland Program.

3. This permit is contingent on approval by the DES Subsurface Systems Bureau.

4. This permit is contingent upon compliance with the September 08, 2008, Restoration Plan Approval.

5. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

6. Work shall be done during dry flow conditions.

7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.

8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

9. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment on wetlands.

10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Culverts shall be laid at original grade.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), projects involving alteration of less than 3,000 square feet in wetlands.
2. Daniels Road is a private road.
3. The applicant has submitted a copy of the warranty deed allowing for described maintenance along Daniels Road.
4. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau and the Weare Conservation Commission signed the Minimum Impact Expedited Application.
5. Replacing the existing culverts was suggested by the Town of Weare's Engineer.
6. Multiple complaints regarding construction on the subject parcels were received in May, 2008.
7. On September 08, 2008, the DES Shoreland Protection Program issued a Restoration Plan Approval.
8. This permit is contingent upon compliance with the September 08, 2008, Restoration Plan Approval.
9. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
10. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
11. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2008-01745 NEW DURHAM HIGHWAY DEPT, TOWN OF
NEW DURHAM Unnamed Stream**

Requested Action:

Replace an existing deteriorated 5' x 5' x 32' box culvert with a 6' arched culvert set to have naturalized bottom; total impact approximately 500 sq. ft.

APPROVE PERMIT:

Replace an existing deteriorated 5' x 5' x 32' box culvert with a 6' arched culvert set to have naturalized bottom; total impact approximately 500 sq. ft.

With Conditions:

1. All work shall be in accordance with plans by New Durham Road Agent Mark Fuller dated 8/8/2008, as received by DES on 8/28/2008, and supplemental information received from the Town of New Durham dated 10/9/2008 received by DES on 10/9/2008.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
4. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

7. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x), repair, replacement of existing structures. The slight change in dimension, shape and setting is of environmental benefit and does not exceed the intent of the rule.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing culvert is failing.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. No species of concern were reported by the NH Natural Heritage Bureau for the project vicinity.
5. The New Durham Conservation Commission signed the expedited application.

2008-01936 IPPOLITO FAMILY SERIES LLC
DEERFIELD Pleasant Lake

Requested Action:

Applicant requests to correct permit description to appropriate wall dimensions.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE AMENDMENT:

Correct permit to read: Repair an existing 45 ft of retaining wall on Pleasant Lake, Deerfield.

With Conditions:

1. All work shall be in accordance with plans as received by DES on October 30, 2008.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. Area shall be regraded to original contours following completion of work.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Repair shall maintain existing size, location and configuration.
6. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair of existing retaining walls that is preformed in the dry during drawdown.

2008-02131 WHITE, ANDREW
THORNTON Unnamed Stream

Requested Action:

Dredge and fill 375 sq. ft. of wetlands (30 linear ft. of intermittent stream) for access to a proposed single family residence. Work in wetlands consists of installation of a 4 ft. x 33 ft. HDPE culvert, associated stone headwalls, filling and grading.

Conservation Commission/Staff Comments:

1. The Conservation Commission signed the minimum impact expedited application waiving there right to intervene on the proposed project.

APPROVE PERMIT:

Dredge and fill 375 sq. ft. of wetlands (30 linear ft. of intermittent stream) for access to a proposed single family residence. Work in wetlands consists of installation of a 4 ft. x 33 ft. HDPE culvert, associated stone headwalls, filling and grading.

With Conditions:

1. All work shall be in accordance with plans by Northern Sun Septic Designs, dated September 11, 2008, as received by DES on October 3, 2008.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work shall be done during low flow.
4. Appropriate siltation/erosion/turbidity controls shall be installed immediately and be maintained in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
13. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z) Installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial recreational uses.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2008-02133 SULLIVAN, DANIEL
NEW DURHAM Merrymeeting Lake

Requested Action:

Repair an existing 90 feet of retaining wall "in kind" on Merrymeeting Lake, New Durham.

Conservation Commission/Staff Comments:

Con Com signed Exp Application on Sept 30, 2008

APPROVE PERMIT:

Repair an existing 90 feet of retaining wall "in kind" on Merrymeeting Lake, New Durham.

With Conditions:

1. All work shall be in accordance with plans as received by DES on October 03, 2008.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. Repair shall maintain existing size, location and configuration.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair of existing retaining walls.

2008-02228 FALL LINE PROPERTIES INC
DURHAM Tidal Buffer

Requested Action:

Excavate and fill 1,010 sq. ft. of developed upland tidal buffer zone to install a replacement septic system to replace failed system.

APPROVE PERMIT:

Excavate and fill 1,010 sq. ft. of developed upland tidal buffer zone to install a replacement septic system to replace failed system.

With Conditions:

1. All work shall be in accordance with revised plans by MJS Engineering, Inc. dated 10/3/2008, as received by DES on 10/16/2008.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b), projects i previously developed upland areas within 100 feet of the highest observable tide line that are not major or minor as defined by Env-Wt 303.02 or Env-Wt 303.03 respectively,
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing septic system has failed and needs to be replaced
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported for the project vicinity by the NH Natural Heritage Bureau.
5. The Durham Conservation Commission signed the expedited application.

AGRICULTURE MINIMUM

2008-01909 HEMINGWAY, CHRISTOPHER
CHARLESTOWN Unnamed Wetland Connecticut River

Requested Action:

Dredge and fill 4,253 sq. ft. of palustrine wet meadow for agricultural irrigation pond construction.

APPROVE PERMIT:

Dredge and fill 4,253 sq. ft. of palustrine wet meadow for agricultural irrigation pond construction.

With Conditions:

1. All work shall be done in accordance with plans by Beaver Tracks, LLC as received by DES on September 15, 2008.
2. All work shall adhere to the standards of the "Best Management Wetlands Practices for Agriculture," NH Dept. of Agriculture, dated July 16, 1993, amended September 1998.
3. Any change in use to a non-agricultural purpose will require further permitting by the DES Wetlands Bureau.
4. This permit shall be recorded with the county Registry of Deeds office by the permittee.
5. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Machinery shall not be located within surface waters, where practicable.
7. Machinery shall be staged and refueled in upland areas.
8. Dredged spoils shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
10. Within three calendar days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(u), Maintenance or improvement of existing crop or pasture land for continued agricultural use.
2. In email correspondence dated September 19, 2008, the CRJC indicated they had no concerns and that the agricultural operation is well back from the Connecticut River and separated by high outcropping ledge.

3. The Natural Heritage Bureau report indicated Dwarf Wedge Mussel in the vicinity of the project.
4. No comments were submitted from the NH Fish and Game Department.
5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

TRAILS NOTIFICATION

2008-02196 PLUM CREEK TIMBERLANDS LLC
ERROL Unnamed Stream

COMPLETE NOTIFICATION:
Errol Tax Mao R15, Lot# 4

2008-02432 BEAN, JAMES & HOWARD
WOLFEBORO Unnamed Stream

COMPLETE NOTIFICATION:
Wolfeboro Tax Map/Lot# 143/5 & 159/22

LAKES-SEASONAL DOCK NOTIF

2008-02434 TERPSTRA, MICHAEL
DEERING Deering Reservoir

COMPLETE NOTIFICATION:
Deering, NH Tax Map 235 Lot 32
Deering Reservoir

X-SHORELAND VARIANCE / WA

2008-00450 COUTURE REVOC TRUST OF 2005, BETSY
WOLFEBORO Lake Winnepesaukee

Requested Action:
Replace an existing nonconforming primary structure with a proposed nonconforming primary structure on property with approximately 100 ft of frontage on Lake Winnepesaukee in Wolfeboro.

Inspection Date: 04/08/2008 by Thomas Gilbert

APPROVE AMENDMENT:

Replace an existing nonconforming primary structure with a proposed nonconforming primary structure on property with approximately 100 ft of frontage on Lake Winnepesaukee in Wolfeboro.

With Conditions:

1. All work shall be conducted in accordance with revised building plans, stormwater control plans, and landscaping plans by Benchmark Engineering, Inc. dated November 10, 2008 and received by DES on November 10, 2008.
2. This Waiver shall not be effective unless and until it has been recorded at the Carroll County Registry of Deeds and a copy of the recorded document is sent to DES by certified mail, return receipt requested.
3. Neither the Owner nor any subsequent owner shall construct, expand, install or otherwise create any impervious surfaces within the Setback other than those shown on revised building plans and stormwater control plans by Benchmark Engineering, Inc. dated November 10, 2008 and received by DES on November 10, 2008.
4. This Waiver shall run with the land and be binding upon the Owner and all subsequent owners of the Subject Property.
5. Unnecessary removal of vegetation within the shoreland during construction shall be prohibited.
6. All planted vegetation shall be native and consistent with surrounding natural vegetation on the property and surrounding properties. Planting invasive or exotic species is prohibited.
7. All proposed vegetation shall be planted within 1 year of completion of the foundation of the proposed primary structure. Vegetation shall have a 100% survival success rate within 3 months of planting. Any plant species which does not maintain a survival success rate of 100% shall be replaced with another species of the same vegetative strata from the DES native species list. An initial monitoring report shall be submitted to DES after 4 months of planting, documenting the success of the plantings.
8. There shall be no substitutions made for the plant species specified on the approved plan without prior written approval from DES.
9. The proposed driveway shall be constructed with a product specifically designed for stormwater infiltration in accordance with the manufacturers specifications.
10. The proposed driveway shall effectively absorb stormwater infiltration.
11. The Applicant shall install the proposed septic system within 2 months of completion of the foundation of the proposed primary structure.
12. This waiver is contingent on review and approval of the project by the DES Subsurface Systems Bureau.
13. The contractor/owner responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
12. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
13. A copy of the recorded Waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.
14. This Waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
15. The owner shall maintain compliance with all other applicable requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.
16. DES and the town of Wolfeboro, pursuant to RSA 483-B:8, III, shall have the right to enforce the terms and conditions of this Waiver, including collection of their reasonable costs and attorneys' fees in bringing any such action.
17. The authorization provided herein is contingent upon compliance with all conditions specified. In the event any condition is violated, the State or town of Wolfeboro may seek appropriate relief, including but not limited to removal of the structure authorized by this waiver.

With Findings:

1. The existing structure, as identified on the town of Wolfeboro Tax Map 259 Lot 59, is located within the 50 ft Setback to public waters and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the Comprehensive Shoreland Protection Act ("CSPA").
2. The existing structure is located approximately 24 ft from the reference line, and has a footprint of approximately 1,975 sq ft.

3. The proposed structure will be located approximately 24 ft from the reference line, and have a footprint of approximately 3,690 sq ft.
4. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."
5. The Applicant has proposed to install a new septic system.
6. The Applicant has proposed to plant native vegetation including Red Maple, Swamp Azalea, Pussy Willow, Winterberry Holly, Juniper and High Bush Blueberry along the shoreline and on the waterfront portion of the property.
7. The Applicant has proposed to install stormwater controls consisting of drainage swales along the proposed structure to direct stormwater to two proposed dry wells.
8. The Applicant has proposed to replace approximately 1,200 sq ft of pavement with a pervious surface.
9. The Applicant's proposal includes a new septic system to be located off site, stormwater controls and native plantings.
10. Based on this information, the Department has determined that the Applicant's proposal is more nearly conforming with RSA 483-B, the CSPA, and provides at least the same degree of protection to the public waters, and, therefore, meets the requirements of RSA 483-B:11, II to be eligible for a waiver.

2008-01048 BOURCIER, RONALD & BETHANY
SOUTH SUTTON Blaisdell Lake

Requested Action:

Impact 3,915 sq ft to replace an existing house and garage with a proposed house and garage on property with approximately 94 ft of frontage on Blaisdell Lake in South Sutton.

APPROVE PERMIT:

Impact 3,915 sq ft to replace an existing house and garage with a proposed house and garage on property with approximately 94 ft of frontage on Blaisdell Lake in South Sutton.

With Conditions:

1. All work shall be in accordance with plans by Brown Engineering dated September 11, 2008 and received by the Department of Environmental Services ("DES") on October 10, 2008.
2. No more than 26.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will impact no existing unaltered areas within the Natural Woodland Buffer beyond the primary building setback. All existing unaltered areas within the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. The proposed pervious concrete shall be installed as shown on the plan and maintained in accordance with the manufacturers specifications.
6. The proposed pervious concrete shall be installed and maintained as required to allow for effective stormwater infiltration.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

11. Any fill used shall be clean sand, gravel, rock, or other suitable material.

ROADWAY MAINTENANCE NOTIF

2008-02454 ROCHESTER, CITY OF
ROCHESTER Unnamed Stream

COMPLETE NOTIFICATION:
Replace existing 24" culvert

2008-02509 WARNER, TOWN OF
WARNER Unnamed Stream

COMPLETE NOTIFICATION:
Replace 50' X 24" steel culvert with 60' X 36"

PERMIT BY NOTIFICATION

2008-01863 HOOKSETT, TOWN OF
HOOKSETT Peters Brook

Requested Action:
Disqualify permit by notification filed in response to an emergency authorization to repair 40 linear feet of retaining wall that failed as work has already been completed, and the project is adjacent to a prime wetland.

PBN DISQUALIFIED:
Disqualify permit by notification filed in response to an emergency authorization to repair 40 linear feet of retaining wall that failed as work has already been completed and the project is adjacent to a prime wetland.

2008-02418 PSNH, JAMES ZATTLER
MILFORD Unnamed Wetland

Requested Action:
Temporarily impact 576 sq. ft. of wetlands to maintain an existing 34.5kV electrical distribution line.

Conservation Commission/Staff Comments:
The Milford Conservation Commission signed the PBN.

Milford Town Clerk signed PBN on 10/31/08 and received by DES on 11/10/08 - PBN expired on arrival.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(af) Temporary impacts associated with the inspection, maintenance, and repair of existing utility lines within an existing utility right of way.

2008-02433 MCINNIS, LESLIE
MEREDITH Lake Waukegan

Requested Action:

Beach replenishment with less than 10 cubic yards of sand.

Conservation Commission/Staff Comments:

Con Com signed PBN on 11/10/08

PBN IS COMPLETE:

Beach replenishment with less than 10 cubic yards of sand.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(aa) replenishment of an existing beach.

2008-02445 PSNH, JAMES ZATTLER
SOMERSWORTH Unnamed Wetland

Requested Action:

Temporarily impact 17,550 sq. ft. of wetlands to install a total of 1,450 linear feet of access mats to replace 6 utility poles in PSNH utility line Right-of-Way.

PBN IS COMPLETE:

Temporarily impact 17,550 sq. ft. of wetlands to install a total of 1,450 linear feet of access mats to replace 6 utility poles in PSNH utility line Right-of-Way.

2008-02462 DEVERAUX, EDWARD
LACONIA Lake Winnepesaukee

Requested Action:

Repair an existing docking facility in kind on Lake Winnepesaukee.

Conservation Commission/Staff Comments:

No Con Com signature by November 21, 2008

PBN IS COMPLETE:

Repair an existing docking facility in kind on Lake Winnepesaukee.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2008-02463 HARRIS, MITCHELL & CAROL
SUNAPEE Lake Sunapee

Requested Action:

Repair existing docking facility in kind on Lake Sunapee.

Conservation Commission/Staff Comments:

Con Com signed PBN on November 10, 2008

PBN IS COMPLETE:

Repair existing docking facility in kind on Lake Sunapee.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2008-02510 LOWE, EDWIN
LACONIA Lake Winnepesaukee

Requested Action:

Repair existing docking facilities on Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con Com did not sign PBN application

PBN IS COMPLETE:

Repair existing docking facilities on Lake Winnepesaukee.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

CSPA PERMIT

2008-01452 WALKER, ROBERT & MICHELLE
WOLFEBORO Lake Winnepesaukee

Requested Action:

Impact 11,321 sq ft to construct a new single family dwelling with a driveway and septic system.

APPROVE PERMIT:

Impact 11,321 sq ft to construct a new single family dwelling with a driveway and septic system.

With Conditions:

1. All work shall be in accordance with plans by NHSC Environmental Consultants dated September 17, 2008 and received by the

Department of Environmental Services ("DES") on October 24, 2008.

2. No more than 12% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 4,740 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,616.75 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. There shall be no additional barch mulch, rock, soil, gravel, sand or other material deposited within 50 ft of the reference line.
5. No existing vegetation within 50 ft of the reference line shall be removed except as neccessary to maintain a footpath no wider than 6 ft, configured in a manner that will not concentrate storm water runoff or contriute to erosion.
6. With the exception of the footpath noted in Condition #5 above, all existing ground cover within 50 ft of the reference line shall be allowed to grow to at least 3 ft in height.
7. This permit is contingent on approval by the DES Subsurface Systems Bureau.
8. This permit is contingent on approval of a wetlands permit for all impacts proposed within jurisdictional wetlands.
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
11. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
12. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
13. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
14. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2008-01645 MEAD, AUBREY JR
BARRINGTON Swains Lake

Requested Action:

Impact 17,955 to construct a new single family dwelling, driveway and septic system.

APPROVE PERMIT:

Impact 17,955 to construct a new single family dwelling, driveway and septic system.

With Conditions:

1. All work shall be in accordance with plans by David W. Vincent, LLS dated August 8, 2008 and received by the Department of Environmental Services ("DES") on October 23, 2008.
2. No more than 9.86% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed shall impact no existing unaltered areas within the Natural Woodland Buffer beyond the primary building setback.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2008-01875 FREELAND, BETH
UNITY Crescent Lake

Requested Action:

Impact 2,860 sq ft to replace an existing septic system.

APPROVE PERMIT:

Impact 2,860 sq ft to replace an existing septic system.

With Conditions:

1. All work shall be in accordance with plans by Livengoods Earth Works LLC dated October 10, 2008 and received by the Department of Environmental Services ("DES") on October 21, 2008.
2. The project as proposed will not increase impervious surface on the lot within the protected shoreland. There shall be no increase in impervious surface on the lot within the protected shoreland unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 26,123 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 14,111.5 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2008-01887 KEANE, JOHN
ENFIELD Mascoma Lake

Requested Action:

Construct a proposed primary structure, septic system and well.

APPROVE PERMIT:

Construct a proposed primary structure, septic system and well.

With Conditions:

1. This permit is contingent on approval by the DES Subsurface Systems Bureau.
2. All work shall be in accordance with plans by CLD Consulting Engineers dated June 5, 2008 and received by the Department of Environmental Services ("DES") on September 11, 2008.
3. No more than 3.94% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 8,770 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,500 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. No more than 7,500 sq ft may be disturbed between 50 and 150 ft of the reference line.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2008-01897 DINSMORE, SARAH
WOLFEBORO Lake Wentworth

Requested Action:

Impact 4,000 sq ft to construct a 4 bedroom residence, driveway and septic system.

APPROVE PERMIT:

Impact 4,000 sq ft to construct a 4 bedroom residence, driveway and septic system.

With Conditions:

1. All work shall be in accordance with revised plans by Folsom Design Group dated October 16, 2008 and received by the Department of Environmental Services ("DES") on October 21, 2008.
2. No more than 10.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 9,825 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3,400 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2008-01928 THE GIRARD LIMITED PARTNERSHIP LLS
WASHINGTON Highland Lake

Requested Action:

Impact 11,300 sq ft to construct a single family residence, driveway and septic system.

APPROVE PERMIT:

Impact 11,300 sq ft to construct a single family residence, driveway and septic system.

With Conditions:

1. All work shall be in accordance with plans by Paul Silvernail dated September 9, 2008 and received by the Department of Environmental Services ("DES") on September 15, 2008.
2. No more than 4.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 23,400 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 14,717 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain

in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. The foot path proposed within 50 ft of the reference line shall be no more than 6 ft wide and shall not concentrate stormwater runoff or contribute to erosion.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2008-02174 BUTTERFIELD ESTATE, MARJORIE
PELHAM Little Island Pond

Requested Action:

Impact 3,971 sq ft to construct two driveways off of an existing road.

APPROVE PERMIT:

Impact 3,971 sq ft to construct two driveways off of an existing road.

With Conditions:

1. All work shall be in accordance with plans by Edward N. Herbert Assoc. Inc. dated September 2008 and received by the Department of Environmental Services ("DES") on October 17, 2008.
2. No more than 0.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will impact no unaltered areas within the Natural Woodland Buffer beyond the primary building setback.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2008-02273 NARDONE, DANA/WILLIAM
WAKEFIELD Lovell Lake

Requested Action:

Impact 10,934 sq ft to remove existing sheds, construct a primary structure with garage, driveway and septic system.

APPROVE PERMIT:

Impact 10,934 sq ft to remove existing sheds, construct a primary structure with garage, driveway and septic system.

With Conditions:

1. All work shall be in accordance with plans by Land Technical Service Corp. dated September 29, 2008 and received by the Department of Environmental Services ("DES") on October 20, 2008.
2. No more than 17.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 2,635 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,554.5 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2008-02274 COPP, WAYNE
ALTON Lake Winnepesaukee

Requested Action:

Impact 4,770 to replace an existing cottage with a new cottage in a different footprint and relocate an existing driveway.

APPROVE PERMIT:

Impact 4,770 to replace an existing cottage with a new cottage in a different footprint and relocate an existing driveway.

With Conditions:

1. All work shall be in accordance with plans by Varney Engineering, LLC dated September 28, 2008 and received by the Department of Environmental Services ("DES") on October 21, 2008.
2. No more than 26.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 507 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 308.75 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

2008-02275 COTTER-LEMOINE, MARY
BRISTOL Newfound Lake

Requested Action:

Impact 1,750 sq ft to remove 2 existing cottages and construct of a new cottage and septic system.

APPROVE PERMIT:

Impact 1,750 sq ft to remove 2 existing cottages and construct of a new cottage and septic system.

With Conditions:

1. All work shall be in accordance with plans by B.A. Benard Ent., Inc. dated October, 2008 and received by the Department of Environmental Services ("DES") on October 21, 2008.
2. No more than 15.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will impact no existing unaltered areas within the Natural Woodland Buffer beyond the primary building setback.
4. In order to be in compliance with RSA 483-B:9 V(e)(2), there shall be no more than 1 residential unit, as described in RSA 483-B:4 XIX, that is dependant on on site septic system on the property.
5. This permit is contingent on approval by the DES Subsurface Systems Bureau.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2008-02300 STEARNS, DANIEL/EDITH
MARLOW Stone Pond

Requested Action:

Impact 2,850 in order to expand an existing primary structure and install a new septic system.

APPROVE PERMIT:

Impact 2,850 in order to expand an existing primary structure and install a new septic system.

With Conditions:

1. All work shall be in accordance with plans by SISR Architecture, LLC dated September 2, 2008 and received by the Department of Environmental Services ("DES") on October 22, 2008.
2. No more than 14.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 13,800 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 13,548 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2008-02301 JOHNSON, PETER & CAROL
WAKEFIELD Pine River Pond

Requested Action:

Impact 720 sq ft to construct 24 ft x 30 ft garage adjacent to an existing 1,290 sq ft 3 bedroom home and reconfigure driveway.

Conservation Commission/Staff Comments:

Construct at 24'X30' garage to existing 1,290 square foot 3 bedroom home and reconfigure driveway.

APPROVE PERMIT:

Impact 720 sq ft to construct 24 ft x 30 ft garage adjacent to an existing 1,290 sq ft 3 bedroom home and reconfigure driveway.

With Conditions:

1. All work shall be in accordance with plans by Todd Wallace of Dube Plus dated October 15, 2008, as received by DES on October 22, 2008.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. No more than 18% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 2,450 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

2008-02302 BURTON, JEFFREY/SUSAN
MOULTONBOROUGH Lees Pond

Requested Action:

Impact 2,036 sq ft to convert an existing 17 ft by 14 ft screen porch to living space on a poured foundation and construct a 24 ft by 15 ft addition to the north side of the house, and remove and revegetate 1,390 sq ft of existing paved driveway.

APPROVE PERMIT:

Impact 2,036 sq ft to convert an existing 17 ft by 14 ft screen porch to living space on a poured foundation and construct a 24 ft by 15 ft addition to the north side of the house, and remove and revegetate 1,390 sq ft of existing paved driveway.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated September 30, 2008 and received by the Department of Environmental Services ("DES") on October 22, 2008.
2. At least 1,390 sq ft of paved driveway shall be removed and restored to a permeable condition consistent with the surrounding native soils prior to the initiation of any construction of additional living space.
3. No more than 20.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 11,343 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 5,795 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The Applicant shall be responsible for verifying that the project as proposed has obtained any and all subsurface system approvals as required per Chapter Env-Ws 1000.
11. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

2008-02314 DAROSA, DANIEL
PITTSBURG Back Lake

Requested Action:

Impact 1,232 sq ft to install a new septic system as authorized per Subsurface approval # CA2008094753.

APPROVE PERMIT:

Impact 1,232 sq ft to install a new septic system as authorized per Subsurface approval # CA2008094753.

With Conditions:

1. All work shall be in accordance with plans by North COUNTRY Septic Design dated October 20, 2008 and received by the Department of Environmental Services ("DES") on October 23, 2008.
2. The project as proposed will not increase the amount of impervious surface within the protected shoreland.
3. The project as proposed will impact no existing unaltered areas within the Natural Woodland Buffer beyond the primary building setback.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2008-02325 ANSIN, KENNETH
NEWBURY Lake Sunapee

Requested Action:

Impact 3,190 sq ft to expand an existing residence and add a garage.

APPROVE PERMIT:

Impact 3,190 sq ft to expand an existing residence and add a garage.

With Conditions:

1. All work shall be in accordance with plans by Bristol, Sweet & Assoc., Inc. dated September 16, 2008 and received by the Department of Environmental Services ("DES") on October 24, 2008.
2. No more than 16.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will impact no existing unaltered areas within the Natural Woodland Buffer beyond the primary building setback.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

CSPA PERMIT W/VARIANCE

2008-01532 MCCONNER FAMILY TRUST, THOMAS CAFFREY TRUSTEE
RYE Atlantic Ocean

Requested Action:

Impact 1,500 to expand an existing single family dwelling and replace an existing septic system.

APPROVE PERMIT:

Impact 1,500 to expand an existing single family dwelling and replace an existing septic system.

With Conditions:

1. All work shall be in accordance with plans by Civil Construction Management, Inc. dated September 30, 2008 and received by the Department of Environmental Services ("DES") on October 2, 2008.
2. No more than 14% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will impact no existing unaltered areas within the Natural Woodland Buffer.
4. This permit is contingent on approval of a wetlands permit for proposed impacts within the 100 ft tidal buffer zone.
5. This permit is contingent on approval by the DES Subsurface Systems Bureau.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and

remain in place until all disturbed surfaces are stabilized.

8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

10. Any fill used shall be clean sand, gravel, rock, or other suitable material.